



**REGULAR MEETING OF THE COMMON COUNCIL  
MIDDLETOWN CONNECTICUT  
NOVEMBER 7, 2016**

The regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, November 7, 2016 at 7 p.m.

**Present**

Mayor Daniel T. Drew, Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia, Corporation Counsel Daniel B. Ryan, Sergeant-at-arms Officer Haddad, and Common Council Clerk Marie O. Norwood

**Also Present**

Fifty members of the public.

**1. Mayor calls meeting to order.**

The Chair calls the meeting to order at 7:03 p.m.

**A. (Pledge of Allegiance)**

The Chair asks the members of the Police Officers present to lead the public in the Pledge of Allegiance.

The Chair welcomes the public to the regular Council Meeting.

**B. (Council Clerk Reads the Call of the Meeting and Mayor declares call a legal call and meeting a legal meeting.)**

The Chair requests the Clerk to read the call of the meeting; it is read and the Chair declares the call a legal call and the meeting a legal meeting.

**2. Accept/Amend the Agenda.**

Councilman Thomas J. Serra reads and moves for approval amending the Agenda to add agenda item 10G, Grant Confirmation and Approval for the Police Department for Youth Training and to substitute agenda item 13, Mayor's Appointments to add the appointments of Monica Belyea and Edward Bonilla as co-chairs of the Middletown School Readiness Council. Councilman Philip J. Pessina seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**3. Presentations**

**A. "Feet to the Fire" River Front Festival  
(Approved)**

**Resolution No. 125-16**

**File Name      ccfeettotheFireRiverFestival 10 11 16(2)**

**WHEREAS**, on May 7, 2016 a River Festival was held at Harbor Park called "Feet to the Fire" which was sponsored by Wesleyan University and other community groups; and

**WHEREAS**, the City of Middletown Water and Sewer Department was approached by the Center for the Arts and the College of Environment of Wesleyan University to participate in a student-employee study of the department and a performance to be created for the "Feet to the Fire" Festival; and

**WHEREAS**, Menakka and Essel Bailey '66 Distinguished Visiting Scholar in the College of Environment, Alison Orr, of Wesleyan University, and Water and Sewer Director, Guy P. Russo, agreed to a collaboration between the University and the Water and Sewer Department for this purpose; and

**WHEREAS**, Wesleyan University Faculty and Staff, Rani Arbo, Barry Chernoff, Joyce Jacobsen, Valerie Marinelli, Allison Orr, William Pinch, Erinn Ross-Brown, Pam Tatge, and Students, Juliana Castro, Mike Edwards, Lizzy Elliot, Isaac Gotterer, Julian Johnson, Gretchen LaMotte, Melissa Leung, Sofia Navarrete Zur, Monica Sun and Clara Pinsky, which all participated in this project and worked actively over the course of the spring semester with members of the Water and Sewer Department that included Guy P. Russo, Alton Sanders, Robert Lane, Patrick White, Vincent Misenti, Frank Radomski, Sebastian Micciulla, James Radziewicz, Mike Talamona, Devin Darley, David Darley, Ricky Miano, Justin Giuliano, John Sloan, Pedro Melendez, Andrew Schwes; and

**WHEREAS**, the Water and Sewer Department, on a voluntary basis, had employees who both allowed students to shadow their work and learn more about the department and ultimately participate in a performance at the “Feet to the Fire” Festival based on the student’s new knowledge of the work performed by the department; and

**WHEREAS**, the performance by the students and the employees of the Water and Sewer Department was hailed by members of the public as a wonderful and instructional learning program; and

**WHEREAS**, the performance has been committed to a video log and currently available online..

**NOW, THEREFORE, BE IT RESOLVED THAT THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That it recognizes “Out of the Box” endeavors of the employees of the Water and Sewer Department in participating in this joint project with Wesleyan University; we offer our sincere appreciation to the Wesleyan University staff and students for their collaboration in an educational and community based art making event to the delight of City residents and visitors who attended the 2016 “Feet to the Fire” River Festival.

The Chair recognizes Councilman Nocera. He calls up Joyce Jacobsen, Provost and Guy Russo and Bob Young, Deputy Director of Water and Sewer. He states that Guy would like to start with the Video of the event. The video is shown to the public. Councilman Nocera asks the students from Wesleyan who participated in the event and are present to come forward along with the Water and Sewer Department employees. Mr. Russo explains the project. He got a call from the Mayor’s Office; they had been approached to do an in-bed with Wesleyan and they were lucky enough to have been chosen. He met with Allison Orr, a visiting fellow in the Arts Department and she told me what she wanted to do. I told her it would be a tough pull. She did her magic and the result benefited his employees because someone took an interest in what they do. He thanks his former employees and he extends Allison Orr’s best wishes; she is back in Texas. Wesleyan was blessed to have her for the semester she was here. Janice Jacobsen thanks her for being at Wesleyan and hopes there will be more projects like that. They appreciated working with the City; the College of the Environment particularly. This is a great example of how we should be working together. They are starting another course that builds on this same idea, that students need to learn how we build things and maintain things. A member of our physical plant is actually writing a course this spring and it is part of the Liberal Arts curriculum. The Wesleyan students in attendance thank the Water Department employees; one mentioned that when the main broke last week and the water was shut down as Wesleyan, he thought about how hard the City employees were working and that it was so cool. They thanked the employees for opening their doors to us and giving us water and keeping us alive. Councilman Nocera states what does art dance and rhythm have to do with the Water Department. He states everything. He discusses William Gardner about the extraordinary power of integrating the arts into the content areas. It broadens your thinking and gives you new ways to look at things.

Councilman Nocera reads the resolution. He asks Guy to present the resolution to the employees. He asks Joyce to present copies to the students. Councilman Nocera thanks Guy Russo, recently retired, for his great service to the City of Middletown. The Chair states without objection, the resolution can be approved by acclamation. Mayor Drew thanks the students for a beautiful project of what our Water Department does every day and last week, we saw what unsung heroes they are. Because the reservoir was lowered and couldn’t be used, getting the system fixed in the cold, shows their dedication. He thanks them for the work they did to get the system back on line.

**B. Congratulations to Officer Lukinak  
(Approved)**

**Resolution No. 126-16**

**File Name cclukanikcommunitypolicing2016**

**WHEREAS**, Sergeant Michael Lukanik, Middletown Police Department was recognized by the U. S. Attorney’s Office for the District of Connecticut for a Community Policing Award; and

**WHEREAS**, the philosophy is that each law enforcement and communities collaborate to improve safety, build public trust and deepen understanding between police and their communities; and

**WHEREAS**, Sgt. Lukanik was recognized for addressing crime in the City’s north end; he met with the North End Action Team and the management of the one-block area, Wharfside Commons; and

**WHEREAS**, he used the community policing approach, encouraging citizen partnership; he implemented directed patrols and encouraged his personnel to attend community meetings. He added cameras and fencing to the area and monitored his strategy; and

**WHEREAS**, Middletown adopted community policing to provide a common goal for local officers and the residents to work together to keep Middletown a safe community; Sgt. Lukanik’s effective use of this philosophy has led to reduced crime in the area; its effectiveness has been recognized and the same strategies are in use in other areas of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate Sgt. Michael Lukanik for innovative thinking in reducing crime in the north end; his efforts to establish a strategy involving the community builds a stronger, healthier Middletown and builds the trust necessary to have a working relationship between Public Safety personnel and Middletown residents for a safer community.

The floor is yielded to Chief McKenna. The Chief states great job for the Feet to the Fire. He wishes the retirees well and asks Sgt. Lukanik to come forward. Chief McKenna states in October, 2015, the north end of the City experienced a mass amount of serious crime. Sgt. Lukanik volunteered and met with citizens and conducted a threat assessment and had the

Richman Group hire more officers. He continued to meet and evaluate with the group. They upgraded security cameras, combatted graffiti issues, garbage, abandoned car issues. Several city departments came together and the Sergeant represented the city on many occasions. He got Wharfside to get a facelift and to put up a new fence. Right now the area is much safer. We have experienced a reduction in crime. I am proud of the job Sgt. Lukanik did. In October 2016, he received an award from the Department of Justice. He reads one e-mail from August 9 from Sgt. Lukanik to me regarding the changes at Wharfside. The types of calls are back to loud noise and domestic complaints and the more serious disturbances have not reoccurred. He states he is proud to introduce Sgt. Lukanik; he is a good leader for the Police Department.

Councilman Pessina comes forward to read a resolution honoring Sgt. Lukanik. He states when he heard about the award, there was no doubt he is proud of the family he retired from and I am really proud of you. He reads the resolution. He moves it for approval. The motion is seconded by Councilman Faulkner. The Chair states the resolution can be approved by acclamation. Councilman Pessina reads a statement regarding community policing and Sgt. Lukanik's dedication and daily work has reached Pillar 4 of community policing and he reads what that is: Working with residents to identify problems and collaborate on meaningful solutions. He created a bridge of trust and partnership with the residents of the North End. He congratulates Sgt. Lukanik.

Sgt. Lukanik thanks the Mayor and Council for the recognition. He thanks the Chief; I volunteered but without the resources from the Chief I couldn't do what was done. The most important people are the men and women who go out there every day. Without them, the efforts would not have come to fruition. This award is for them as well. Thank you.

Councilman Faulkner wanted to thank Sgt. Lukanik for his efforts and say to the public we cannot leave the burden totally on law enforcement. It has to be a community effort and the rest of the community needs to get on board. We need to promote civility in this city and across this country. Congratulations.

Councilman Pessina asks all the officers to stand and be recognized. Mayor Drew states when you have an effort that is successful in an area as troubled as Wharfside, it is difficult to understand how hardy it was to get it where it is today. It is a true community policing effort. It would be a matter of time before something tragic would happen there. This assignment was very difficult for Sgt. Lukanik and the officers who carried it out. They pulled resources quickly and intelligently and made the best use of community policing practices. It was an incredible effort. You should write a book on this. Thank you and to the officers who got it done.

**C. Congratulations to Kathie Morey upon her retirement  
(Approved)**

**Resolution No. 127-16**

**File Name ccmoreyretirment2016**

**WHEREAS**, Kathleen A. Morey is retiring from the City of Middletown as the Director of Human Resources after sixteen years of service; and

**WHEREAS**, Kathie began working for the City of Middletown in 2000 as the Personnel Analyst; in 2010, she was promoted to the Deputy Director of Personnel; and

**WHEREAS**, Kathie has a Business Certification from Eli Whitney Technical School; she received a Psychology Degree in 1976 from the Greater Hartford Community College; in 1977, she furthered her education by taking Drug/Alcohol Rehabilitation Counseling; and

**WHEREAS**, she worked for the City of Hartford, Public Works Department as an Administrative Assistant for the City Engineer and Assistant City Manager Office; she became a Senior Administrative Analyst and in 1993, the Principal Administrative Analyst; and

**WHEREAS**, in 2013, Kathie was appointed and confirmed as the new Director of Human Resources for the City; and

**WHEREAS**, Kathie has been part of many successful reorganizations in City Departments where job descriptions had to be revised, rewritten or updated; she was part of two job studies for the City; and worked as part of the City's negotiating team for City employment contracts.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we thank Kathie Morey for her dedication and service to the City of Middletown; for sixteen years, Kathie has worked on behalf of the City employees, managing policies and procedures, working with employees to ensure their job descriptions reflect the duties they perform, and handling employee relations; and

**BE IT FURTHER RESOLVED:** That we wish Kathie a happy retirement and good health for years to come to be with and enjoy her husband Paul A. LaRosa, daughters Erika and Susan, and grandchildren David, Zach, Kevin and Dylan.

Councilwoman Bartolotta is recognized for agenda item 3C and she asks Kathie Morey to come forward as well as her husband. She states it is her pleasure to present this to Kathie. She reads the resolution. Councilwoman Bartolotta states when she was brought to the podium she was always prepared; she had many questions and Kathie was informative and helped guide me to understand. Her professionalism and quick response will be missed. I wish you the best and most enjoyable retirement you can have. Ms Morey thanks everyone

very much. You all know how much serving Middletown was a privilege. Thank you Mayor and Council. She takes the opportunity to thank the members of the various Unions and her non bargaining colleagues. I am grateful to have worked with all of them. Her sentiment is I encourage everyone to take the time to respect one another through listening and to have real conversations. I have found that when we are having issues in the workplace, people just want the opportunity to be heard. I am encouraging everyone to reach down and to really start conversations with people, especially about our differences and we may find that they are not as many as we think. She wishes everyone well. The Chair states without objection, the resolution is approved by acclamation. Mayor Drew thanks her and states we will miss you everyday

**D. Congratulations to Guy Russo upon his retirement  
(Approved)**

**Resolution No. 128-16**

**File Name** ccguyrussoretirement2016

**WHEREAS**, Guy Russo, Director of Water and Sewer retired in October, 2016; and

**WHEREAS**, Guy first began working for the City of Middletown in the fall of 1977. In 1978 he became the Assistant Superintendent/Chemist at the Water Pollution Control Facility; a position he held until 1984; Guy briefly left Middletown employ to work for the Connecticut Resource Recovery Authority (CRRA) in Hartford CT and the Berger Lehman of Rye NY until 1994, when he returned to Middletown to become the Director of Water and Sewer; a position he has held for the last 22 years, and

**WHEREAS**, as a graduate of Xavier High School he went on to received his BS in Biochemistry from the University of Connecticut and received his MS Degree in Engineering Science from Rensselaer Polytechnic Institute; and

**WHEREAS**, During Guy's tenure as Director of Water & Sewer he was instrumental in completing the CRISP (Connecticut River Interceptor Sewer Project designed to remove point sources of pollution to the Connecticut River). The CRISP project resulted in the installation of a force main to collect sewer flows from Pratt & Whitney, the Connecticut Juvenile Training School and Connecticut Valley Hospital into the Middletown sewer system and numerous projects designed for the removal of storm water flows into the sanitary sewer system through the separation of the existing combined sewer systems. The last CRISP project will culminate with the replacement of Middletown's aging Water Pollution Control Facility and the regionalization of sewer flows with the construction of the Francis T. Patnaude Regional Sewer Pump Station and membership into the Mattabassett District; and

**WHEREAS**, Guy was also instrumental in projects that consolidated Water & Sewer Department operations in new facilities constructed at Berlin St. and in a partnership project with the EPA, CT DEEP and the Town of Durham that will ultimately provide drinking water to Durham so they can provide their citizens in the area affected by contamination with a pure safe drinking water supply.

**WHEREAS**, Guy has also been involved in various civic and Professional endeavors while with the City. He served on the Connecticut Water Works Associations' Board of Directors for 6 years, the last year as its' President. He also served 4 years as a Legislative Tri-Chair and concurrently for several years as the Chair to the Scholarship Committee who provided scholarships to High School seniors who were pursuing a career in the fields of study critical to the water industry. In 2015, Guy received the Leadership Award from the New England Water Works Association for his efforts to advance the water profession. Civically, Guy is a 20 year member of the Middletown Kiwanis Club and served as its President twice and also served as the Regional Lt. Governor. He chaired the annual Kiwanis golf tournament for several years.

**WHEREAS**, Guy, a lifelong Middletown resident, is a dedicated family man. A husband to his wife Pat, a father to Gabriel, Miriah and Colby and a grandfather to Gianna, Steven, Adeline and Stella. In his spare time, he has a passion for golf and home improvement projects. He hopes to further pursue these passions in retirement

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate Guy Russo on his retirement after more than 22 years of service to Middletown; his dedication to Middletown's Water and Sewer Department will be missed by Middletown's residents. We wish Guy a happy, healthy retirement and best wishes on his future endeavors.

Councilman Serra asks Guy Russo and his family to come forward. He reads the resolution and moves it for approval. Councilman Pessina seconds the motion. The Chair states without objection, the resolution is approved by acclamation. Councilman Serra states in 1994 it was my privilege to appoint Guy and I told him it was time for us to go to Mattabassett. It is twenty two years later. The pipe is done and it is successful and now we are working on the pump station. He guided a number of the Sewer separation projects, he did a great job. Congratulations on a great twenty two years and thank you for guiding us there especially on the committee chaired by Councilman Pessina. God speed. Mr. Russo congratulates Kathie on her retirement and echoes something she said. Having grown up here, it has been a professional experience beyond measure. I have been truly honored by our rate payers and various administrations. I want to thank the WPCA for their support as well as staff. A long time ago I had a coach that said there was no I in team, but there is a me in team. When it comes to water there is a we in water. This has been an accomplishment because you have been there for all the bond projects. The WPCA has been there and my staff as well and together we created a department that you can be proud of. I was texting my team during the water main break last week. He thanks his family for being here. My children can well attest to how many times I ran away from the dinner table. I want to thank them for all their support and now it is time to spend with the grandchildren. Thank you and god bless you all.

Councilman Pessina states when I took on the task of chairing the Mattabassett project but after meeting with you and you mentoring me, I know a little bit about that pipe now. Our team will get the project done and look forward to you being there as it moves forward. Thank you for everything you have done for me. Councilman Nocera states I recently joined the WPCA and first hand had the pleasure to witness your expertise and handling the complexity of the department. Your leadership, temperament and your skill at building a

team; I have had the pleasure of working with your family and it is an honor to be here to thank you for all you have done for Middletown. Councilwoman Bartolotta states you were very helpful with me to understand the Harbor Improvement Agency and I am sorry I was not able to attend your retirement and I wish you and your family the very best. Councilman Giuliano states Guy I am speaking to the public; how many times we turned on the faucet and don't give it a thought and it works and how many times it has happened and it works. It is about the operation you built. I remember the sewer failure on Christmas getting it fixed just like the most recent problem with the main break. That doesn't happen by accident. It takes real leadership that addresses everything that can go wrong in an infrastructure that we have. You will be a tough act to follow. The Mattabassett project; to operate the department and get that done, there are not many people who could have done that. You have earned the rest and take advantage of that. Guy states a lot of credit goes to the people I worked with. They are the ones that take care of water and no one worries about the safety of the water. They made my life easier because they are dedicated.

Councilman Santangelo states he had the pleasure of serving on the WPCA; I played golf with Guy and he is a real golfer. The time I have known you, it has been the times we have met and the love you have for your family that is impressive. You also talked about your other family, your department. I have seen you working in minus 7 degrees fixing a pipe and people woke up not even knowing the pipe had broke. Thank you for being a friend. Councilman Daley states he too served on the WPCA when the new water and sewer building was built and saw your commitment to the department and its future. Seeing you guide us through the CSO and Mattabassett projects, your professionalism is noted. You will have time to devote to your other hidden talent which is making great homemade wine. Mayor Drew states it has been wonderful working with you; you have an incredible mind to parse the nuances after a few corny jokes. We are going to miss you. Guy states he will be back. I am no longer an official of the City and bound by rules, I remind you there is a referendum tomorrow on water and sewer and urges everyone to support it.

**E. Best Wishes to Michiel Wackers  
(Approved)**

**Resolution No. 129-16  
File Name ccwackers2016**

**WHEREAS**, Michiel Wackers was hired as the Community Development Specialist in the Planning, Conservation, and Development Department in July, 2003; he was promoted to Deputy Director of the Department in July, 2005; and

**WHEREAS**, in May, 2014, Michiel became the Director of Planning, Conservation, and Development; and

**WHEREAS**, Michiel received his BA in Political Science and International Studies from Elon University, North Carolina in 2000; he earned his MA in Political Science, with a concentration in Public Policy from City University of New York in 2005; and in 2007, he earned his certification from the American Institute of Certified Planners; and

**WHEREAS**, while attending Elon University, he worked summers for the City of New Haven Livable City Initiative; the United States Department of State – U. S. Information Agency; and at the World Trade Center North Carolina as a Project Officer/Intern; and

**WHEREAS**, in 2001, he worked for U. S. Senator Hillary Rodham Clinton as an Economic Development Researcher; that summer, he worked as an Administrative Assistant to HILLPAC, and from 2002 – 2003, as a campaign manager in Connecticut for Senator Blumenthal; and

**WHEREAS**, Michiel joined the Planning, Conservation Department to manage the day-to-day CDBG activities, overseeing 60 active projects totaling \$4 million; He implemented the short and long term goals in the Plan of Conservation and Development, coordinated community development as well as economic development to revitalize downtown; and

**WHEREAS**, as Deputy Director, he conducted research and developed surveys to obtain data regarding such issues as Parking, Housing, opportunities for town center developments, retail and restaurant, and mixed use zoning text analysis; and

**WHEREAS**, as acting director and director of the department, he worked on downtown public and private partnership study, a riverfront concept evaluation survey, and Design Review and Preservation Board Work Plan with survey results; and

**WHEREAS**, he has supervised consultants to provide the Mile Lane Army Reserve Base Closure Reuse Plan, a residential feasibility study for downtown; he has recommended signage illumination guidelines and landscaping guidelines and regulations for the Planning and Zoning Commission, as well as writing Zoning Code Briefing Sheets; and

**WHEREAS**, Michiel was the developer for the Planning Conservation and Development Website, one of the most comprehensive sites in the City; Middletown's Riverfront Facebook Page; the Zoning Enforcement Online Case Management Database; the online CDBG Grant Application, and streamlining the application processes for tax abatement applications.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we thank Michiel Wackers for his service to Middletown; the City will miss his insight and meticulous research on the issues affecting Middletown in its efforts for continued economic development and community growth. Michiel's foresight to develop a website that benefits the public by having information and applications available to the public on the City's website department webpage has made doing business easier and moves the City forward in its goal to have City information at the public's fingertips; and

**BE IT FURTHER RESOLVED:** That the City extends its best wishes to Michiel and his family on their relocation; we wish him well on his future endeavors.

Councilman Daley states Michiel Wackers has left his position with the City to relocate to Ohio; his wife had a tremendous opportunity and Michiel found a great position with the City of Cleveland. He could not be here tonight, but it will be sent to him. I ask that I can read this into the record. He reads the resolution and moves for approval; Councilman Giuliano seconds. The Chair states without objection, it is approved by acclamation. Councilman Daley states he did a great job to coordinate CDBG process. One of the things not mentioned is that he helped the Planning and Zoning Commission develop a user-friendly format-based zoning code that is in the process of being reviewed by the Planning and Zoning commission. He did the bulk of the work before leaving. He felt bittersweet not seeing it to fruition. Michiel was the detail guy on the team with Bill Warner and we came to appreciate the full scope of his responsibilities in filling both roles for a while. It will be difficult to find his successor. I know how hard he worked on other projects like Fed Ex and he did make significant contributions to Middletown.

#### Meeting Recesses

The Chair states that the technicians need to change the disk and asks for a recess. Councilman Serra moves for a recess and is seconded by Councilman Giuliano. The vote is called and it is unanimous to approve. The Chair declares the meeting recessed at 8:09 and asks that everyone be back by 8:20 p.m.

#### Meeting Reconvened

The Chair calls the meeting to order at 8:20 p.m.

#### 4. Mayor requests motion to approve minutes of: (Approved)

The minutes having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council member, the reading of the same having been dispensed with, the Chair requests a motion to approve the minutes. Councilman Robert P. Santangelo reads and moves for approval The minutes of the regular meeting of October 3, 2016 at 7 p.m.; Special meeting of October 3, 2016 at 6 p.m.; Special meeting of October 13, 2016 at 7 p.m. and Special Meeting of October 13, 2016 Immediately following the 7 p.m. meeting. . Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is 10 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilwoman Deborah A. Kleckowski. The Chair states the matter carried with 10 affirmative votes, 0 in opposition, 1 abstention and 1 absent. Councilman Faulkner abstains from the vote on the minutes of October 3, 2016 at 6 p.m., October 13, 2016 at 7 p.m. and October 13, 2016 Immediately following the 7 p.m. meeting. The Chair states the matter carried with 10 affirmative votes, 0 in opposition and 1 absent.

#### 5. Public Hearing on Kleen Energy Lease for the Water Collection Facility off River Road.

The Chair opens the public hearing on the Kleen Energy Lease for the Water Collection Facility off River Road at 8:22 p.m. The Chair sees no members of the public wishing to address this item. (See agenda item 12A)

#### 6. Public Hearing on Bond Ordinance.

The Chair opens the public hearing on the bond ordinance for \$750,000 for CNR equipment at 8:22 p.m.



#### 7. Public Hearing on agenda items.

Seeing no members of the public wishing to address the bond ordinance, the Chair opens the public hearing on all other agenda items at 8:23 p.m.

#### 8. Public Hearing closes.

Seeing no members of the public wishing to address agenda items, the Chair closes the public hearing at 8:24 p.m.

Appropriation Notice



CITY OF MIDDLETOWN

MAYOR'S OFFICE  
MUNICIPAL BUILDING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **MONDAY, NOVEMBER 7, 2016 at 7 p.m.** to consider and act upon the following:

|                   |   |
|-------------------|---|
| A. Mayor's Office | \$5,000, Account 1000-26500-55186-0733, Warming Center, General Fund.     |
| B. Sanitation     | \$37,000, Account No. 2150-40000-58127, Trash Compactor, Sanitation Fund. |
| C. WWMS Bldg Com  | \$25,000, Account No. 1000-12000-53372, Feasibility Study, General Fund.  |

Any and all persons interested may appear and be heard.

ATTEST:  
  
MAYOR DANIEL T. DREW  
Mayor

Dated at Middletown, Connecticut, 21<sup>st</sup> day of October, 2016.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the (860) 638-4812 (TDD/TTY) or the Town Clerk's Office at (860) 638-4910 at least ten days prior to the scheduled meeting.

Certification from Finance

MEMORANDUM

TO:

His Honor, Mayor Daniel T. Drew and  
Members of the Common Council

FROM:

Finance Department

DATE:

November 2, 2016

RE:

Certification of Funds

This is to certify that funds sufficient to meet the appropriations requested at your meeting on November 7, 2016 are available as follows:

|                 |          |
|-----------------|----------|
| General Fund    | \$30,000 |
| Sanitation Fund | \$37,000 |

Respectfully Submitted,

  
Carl Bracher  
Director of Finance & Revenue Services



- A.

Mayor's Office \$5,000, Account 1000-26500-55186-0733, Warming Center, General Fund.

(Approved)

Councilman Grady L. Faulkner, Jr. reads and moves for approval the Mayor's Office appropriation request of \$5,000, Account 1000-26500-55186-0733, Warming Center, General Fund. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.
- B.

Sanitation \$37,000, Account No. 2150-40000-58127, Trash Compactor, Sanitation Fund.

(Approved)

Councilman Carl R. Chisem reads and moves for approval the Sanitation appropriation request of \$37,000, Account No. 2150-40000-58127, Trash Compactor, Sanitation Fund. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**C. WWMS Bldg Com \$25,000, Account No.1000-12000-53372, Feasibility Study, General Fund.**  
**(Approved)**

Councilwoman Mary Bartolotta reads and moves for approval the WWMS Building Committee appropriation request for \$25,000, Account no. 1000-12000-53372, Feasibility Study, General Fund. Councilman Serra seconds the motion. Councilman Faulkner asks do we know who is doing the study. Mayor Drew responds a recommendation will come from the building committee.

The chair calls for the vote. It is unanimous to approve with 12 aye votes. The Chair states the matter passes unanimously with 12 affirmative votes.

**10. Department, Committee, Commission Reports and Grant Confirmation Approval.**

**A. City Clerk's Certificate**  
**(Approved)**



*City of Middletown  
 City & Town Clerk's Office  
 245 deKoven Drive  
 Middletown, CT 06457*

**Certification**

I, Linda Bettencourt, City and Town Clerk of the City of Middletown and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on October 3, 2016 at 7:00 p.m. and the special meetings on October 3, 2016 at 6:00 p.m., October 13, 2016 at 7:00 p.m. and October 13, 2016 immediately following the 7:00 p.m. meeting, have been advertised in the local newspaper.

Dated at Middletown, Connecticut, this 3rd day of November, 2016.

Attest:

*Linda Bettencourt*  
 Linda Bettencourt  
 City & Town Clerk



❖ Phone (860) 638-4910

❖ Fax (860) 638-1910

❖ TDD (860) 638-4812

**B. Monthly Reports:**  
**Finance Department - Transfer Report to October 26, 2016**  
**(Approved)**



| Transfers of Funds - Operating Budget Accounts |                 |                                 |                           |                           |             |
|--|-----------------|---------------------------------|---------------------------|---------------------------|-------------|
|  |                 | From: 12/1/16                   |                           | To: 12/31/16              |             |
| FY 2016-2017                                   |                 |                                 |                           |                           |             |
| Date   | Department      | Budget Item                     | From Account No.          | To Account No.            | Amount      |
| 10/01/16                                       | PW/Recycling    | Contractual Services            | 1000-22000-65165-0222     |                           | (4,800.00)  |
|  | PW/GenSec       | General Vehicle Services        | 1000-22000-55518-0225     |                           | (2,800.00)  |
|  | PW/Highway      | Overtime                        |                           | 1000-22000-55481-0228     | 6,800.00    |
| 10/12/16                                       | Fire            | SCBA Equipment                  | 2040-90000-79887-e-e-2015 |                           | (5,000.00)  |
|  |                 | SCBA Cylinders                  | 2040-90000-79888-e-e-2015 |                           | (5,000.00)  |
|  |                 | SCBA Cylinders                  | 2040-90000-79888-e-e-2016 |                           | (5,000.00)  |
|  |                 | Hust Rescue Equipment           | 2040-90000-79546-e-e-2015 |                           | (1,000.00)  |
|  |                 | Hust Rescue Equipment           | 2040-90000-79546-e-e-2016 |                           | (5,000.00)  |
|  |                 | Outdoor Power Equipment         | 2040-90000-79539-e-e-2016 |                           | (2,500.00)  |
|  |                 | Fire Hose & Equipment           | 2040-90000-79538-e-e-2016 |                           | (8,000.00)  |
|  |                 | Specialized Rescue Equipment    | 2040-90000-79579-e-e-2016 |                           | (16,000.00) |
|  |                 | Training Equipment              | 2040-90000-79538-e-e-2016 |                           | (736.00)    |
|  |                 | Staff Vehicle Replacement       | 2040-90000-79534-e-e-2016 |                           | (294.00)    |
|  |                 | Radio Equipment                 | 2040-90000-79516-e-e-2016 |                           | (297.00)    |
|  |                 | SCBA Equipment                  |                           | 2040-90000-79567-e-e-2016 | 47,888.00   |
| 10/18/16                                       | Human Resources | Training Services & Materials   | 1000-25000-55480-0170     |                           | (1,000.00)  |
|  |                 | Admissions                      |                           | 1000-25000-55115-0170     | 1,000.00    |
| 10/21/16                                       | PW/Highway      | Water/Snow Overtime             | 1000-22000-61300-0228     |                           | (1,800.00)  |
|  |                 | Outsourced OT                   |                           | 1000-22000-61334-0228     | 1,500.00    |
| 10/21/16                                       | Communications  | Contractual Services            | 1000-18700-55155          |                           | (500.00)    |
|  |                 | Repairs/Maintenance to Vehicles |                           | 1000-18700-55323          | 500.00      |
| 10/25/16                                       | Water           | Contingency Fund                | 5000-60000-57000          |                           | (250.00)    |
|  |                 | Largosity                       |                           | 5000-60000-51422          | 250.00      |
|  |                 |                                 |                           |                           | 0.00        |

C. Grant Confirmation and Approval - Board of Education, Various Grants (Approved)

CITY OF MIDDLETOWN  
MUNICIPAL BUILDING  
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL  
OF THE FOLLOWING GRANT

Grant Number: 290

Date of Request: 10/18/2016

Name of Grant: as listed below

Amount Requested: \$967,895.82

Code: 2450-33000-59405-X-09025

Grant Period: From: 7/1/2016 To: 6/30/2017

Rev Code: 2450-33000-43480-X-X

Type of Grant:

Amount Loaned from General Fund: \$0.00

Department Administering Grant: Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:

2359 - Fam Resc Ctr MacDonough \$109,000.00; 2360 - Fam Resc Ctr Farm Hill \$103,000.00; 2362 - School Readiness Snow \$270,000.00; 2393 - Schl Readiness Coord \$90,000.00; 2767 - REGI - Regional Incentive \$2,500.00; 2721 - SPED Medicaid \$5,106.54; 2732 - Swim Straps Pgm \$0.890.00; 2799 - Food Services \$84,522.26; 8001 - Retirees/COBRA Ins \$264,638.08; 8003 - Workers Comp \$5,152.15; 8004 - Preschool Pgm Fees \$7,558.00; 8000 - Maint/Rentals \$252.00; 8011 - Chromebook Replacement \$14,709.00; 8021 - Student Guardian Bus Camera \$1,000.00; 8023 - Central Office Receipts \$159.31; 8035 - AGED Receipts \$75.00; 8036 - Even Start Family Learn Pgm \$790.25; 8093 - Fingerprinting Receipts \$1,189.00; 9010 - Keigwin Parent Fees \$4,460.21. Total Special Programs through 9/16/16 \$8,524,049.04 ADDITIONS \$967,895.82 Total Special Programs through 10/18/16 \$9,491,744.86.

Signature: Patricia Charles

Requested by: Patricia Charles, ED.D

Status:

Status Date:

D. Grant Confirmation and Approval - Health Department, Kids Safety Expo (Approved)

CITY OF MIDDLETOWN  
MUNICIPAL BUILDING  
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL  
OF THE FOLLOWING GRANT

Grant Number: 292

Date of Request: 10/20/2016

Name of Grant: Kids Safety Expo

Amount Requested: \$100.00

Code: 3070-31000-67030-x-03380-x-x

Grant Period: From: 7/1/2016 To: 6/30/2017

Rev Code: 3070-31000-48195-x-x-x-x

Type of Grant: Local

Amount Loaned from General Fund: \$100.00

Department Administering Grant: Health Dept

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:  
Middletown kids health and safety day: offer educational information about wellness, interactive exhibits, health screenings, child identification, etc. Vecchitto's Italian Ice, LLC \$100 ck # 1667

Signature: 

Requested by: Joseph Hawlicek

Status:

Status Date:

E. Grant Confirmation and Approval - Health Department, Public Health Emergency Grant Decrease (Approved)

CITY OF MIDDLETOWN  
MUNICIPAL BUILDING  
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL  
OF THE FOLLOWING GRANT

Grant Number: 291

Date of Request: 10/20/2016

Name of Grant: Public Health Emergency Preparedness Grant

Amount Requested: (\$579.38)

Code: 3220-31000-52110-x-03485-2016-x

Grant Period: From: 7/1/2015 To: 6/30/2016

Rev Code: 3220-31000-43242-03485-2016-x

Type of Grant: State

Amount Loaned from General Fund: \$0.00

Department Administering Grant: Health Department

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:  
Unused balances: General Admin - \$206.40, Office Supplies - \$10.03, Misc Supplies - \$197.44, Internet Access - \$8.52, Cell Phone - \$155.99 for a grand total of \$579.38

Signature: 

Requested by: Joseph Hawlicek

Status:

Status Date:

F. Route 9 Traffic Signal Removal, Middletown - ConnDOT (Approved)

ConnDOT: Public Informational Meeting Concerning Modifications to Route 9 in Middle... Page 1 of 2


|   |                           |                           |              |
|---|---------------------------|---------------------------|--------------|
| State of Connecticut  |                           | Governor Dannel P. Malloy |              |
| <div>DEPARTMENT OF TRANSPORTATION</div>   |                           |                           |              |
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| 2016  |                           |                           |              |
| <div>CONNECTICUT DEPARTMENT OF TRANSPORTATION<br/>NEWS RELEASE</div> <p>2800 BERLIN TURNPIKE P.O. BOX 317566<br/>NEWINGTON CONNECTICUT, 06131-7546</p> <p>FOR FURTHER INFORMATION:<br/>OFFICE OF COMMUNICATIONS<br/>TELEPHONE: (860) 594-3002<br/>FAX: (860) 594-3005<br/>WEB SITE: <a href="http://www.ct.gov/cdot">www.ct.gov/cdot</a></p>  |                           |                           |              |
| FOR RELEASE: July 11, 2016  |                           |                           |              |
| <b>Public Informational Meeting Concerning Modifications to Route 9 in Middletown, Including the Removal of the Traffic Signals on Route 9 and Stop Sign on the Route 17 Northbound On-Ramp</b>   |                           |                           |              |
| <p>The Connecticut Department of Transportation (Department) will conduct a public informational meeting for the modifications to Route 9 in the City of Middletown, including the removal of the traffic signals on Route 9 and stop sign on the Route 17 northbound on-ramp. The meeting will take place on Tuesday, July 26, 2016, at the Elks Lodge 771, 44 Hayard Street, Middletown, Connecticut. The presentation will begin at 7:00 p.m.</p> <p><b>Project No. 62-116:</b></p> <p>The purpose of this project is to enhance safety for vehicles at the on-ramp of Route 17 onto Route 9 north, which has a high frequency of near-and-type crashes. This project will replace the existing bridge immediately north of the stop-controlled on-ramp to accommodate a full length acceleration lane and remove the stop controlled condition. The intersection of Union Street, Harbor Drive and River Road, located under the bridge, will be reconfigured to improve traffic operations and facilitate pedestrian movements.</p> <p>This project will also close the existing on-ramp onto Route 9 north located at the north end of Harbor Drive and transform Harbor Drive into a local access road with on-street parking and various pedestrian amenities.</p> <p>Additional improvements such as the replacement of the existing intersections of Route 17 and Main Street/Exterior interchange with a roundabout will be implemented.</p> <p><b>Project No. 82-118:</b></p> <p>The purpose of this project is to mitigate the congested traffic conditions on the section of Route 9 that passes through the City of Middletown and improve access to Middletown. This concept proposes to remove the two existing traffic signals, constructing two new bridges to carry Route 9 southbound over the Hartford Avenue and Washington Street Intersections, as well as reconstructing some of the access to Middletown from Route 9. The access modifications will involve removing the Route 9 northbound left-hand exit onto Hartford Avenue (St. John's Square) and also removing the Route 9 southbound right-hand exit onto Washington Street.</p> <p>Additionally, this project promotes to improve pedestrian access to the downtown area by installing a pedestrian bridge that will connect Main Street to Harbor Park over DeWoven Drive and Route 9.</p> <p>This project will also improve traffic operations at the Washington Street and DeWoven Drive intersection by installing a roundabout, and along Main Street by installing sidewalk bump outs (curb extensions) at all the major intersections. The sidewalk bump outs will shorten the crossing distance for pedestrians, improving pedestrian safety as well as reducing the required crossing time so that the additional time can be allocated to the traffic on Main Street.</p> <p>With support from the public, the Department will move forward with the design of this concept.</p> <p>The public informational meeting is being held to afford a full opportunity for public participation and to allow open discussion of any views and comments the community may have concerning the modifications to Route 9 in the City of Middletown.</p> <p>The meeting facility is ADA accessible. Deaf and hearing impaired persons wishing to attend this meeting and requiring an interpreter, must make arrangements by contacting the Department's Office of Communications at (860) 594-3052 (voice only), at least five working days prior to the meeting. Language assistance is provided at no cost to the public, and efforts will be made to respond to request for assistance.</p> <p>More detailed information is available at the Department's Office of Engineering, 2800 Berlin Turnpike, Newington, Connecticut, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m., excluding holidays. Anyone wishing to discuss the project may contact Mr. William W. Irlano at (860) 594-3174 or by e-mail at <a href="mailto:Bill.Irlano@dnr.state.ct.us">Bill.Irlano@dnr.state.ct.us</a>. Plans are also available for review at the Department's website, as well as at the Middletown City Hall – Town Clerk's Office, 245 DeWoven Drive, Middletown, Connecticut.</p> |                           |                           |              |

<http://www.ct.gov/dot/cwp/view.asp?A=2135&Q=582646>

10/26/2016

ConnDOT: Route 9 Middletown

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## Route 9 Traffic Signal Removal, Middletown

Welcome! The Department of Transportation is excited to present a proposal to remove the traffic signals on Route 9 and improve access to and from Middletown, while also providing improvements for pedestrians including connecting downtown Middletown to the riverfront. This webpage is intended to provide information regarding the conceptual design, upcoming public outreach events, status of the projects and other pertinent information. Please share this page with others!



<http://www.ct.gov/dot/cwp/view.asp?a=4109&q=582016>

10/26/2016

ConnDOT: Route 9 Middletown

Page 2 of 3



[Click Here](#) for a complete 3D view of the proposed conceptual design.  
[Click Here](#) for a overall plan.

**Updates:**

August 29, 2016 - The official comment period for the public informational meeting has ended although comments can still be sent in. The meeting was successful with a significant turnout. We have received a number of comments since the meeting as well.

The two main concerns of the public based on the comments voiced at the meeting and in received comments are:

- The effect of the additional traffic on Main Street, despite the operational benefits of the proposed laneports
- Concerns about the potential for obstruction of views toward the river due to the retaining walls at Washington Street

This Department is currently investigating modifications to the proposed concept to address these concerns while keeping with a low cost solution. Additional information will be forthcoming.

**PUBLIC INFORMATIONAL MEETING SCHEDULED - all are welcome**

Date: Tuesday, July 26, 2016  
Time: 7:00 PM  
Location: Bldg. Lodge 271  
44 Maynard Street  
Middletown, CT

June 21, 2016 - Governor Malloy formally announces project to the public. [press\\_release](#)

QR Code to this page



<http://www.ct.gov/dot/cwp/view.asp?a=4109&q=582016>

10/26/2016

**G. Grant Confirmation and Approval – Police Department Youth Interaction (Approved)**

|  |   |                  |                  |
|--|---|------------------|------------------|
| CITY OF MIDDLETOWN<br>MUNICIPAL BUILDING<br>MIDDLETOWN, CONNECTICUT 06457  |   |                  |                  |
| REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL<br>OF THE FOLLOWING GRANT   |   |                  |                  |
| Grant Number:  | 203   | Date of Request: | 11/4/2016        |
| Name of Grant:   | Effective Police Interactions with Youth Training |                  |                  |
| Amount Requested:  | \$40,000.00                                       | Code:            | 2131-18000-59200 |
| Grant Period: From:  |   | To:              |                  |
| Type of Grant:   | Local   | Rev Code:        | 2131-18000-43242 |
| Department Administering Grant:  | Police Department                                 |                  |                  |
| Amount Loaned from General Fund: \$40,000.00   |   |                  |                  |
| When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted. |   |                  |                  |
| Description of services to be provided by this Grant:  |   |                  |                  |
| This line is being requested for a 100% reimbursed training by Civics First, Inc. This is a one day training to be held in Cromwell for all sworn personnel on "Effective Police Interactions with Youth". The company providing the training has received funds that will fully reimburse the overtime costs for the officers to attend.  |   |                  |                  |
| Signature:   |   |                  |                  |
| Requested by: Chief William McKenna  |   |                  |                  |
| Status:  |   |                  |                  |
| Status Date:   |   |                  |                  |

Councilman Thomas J. Serra reads and moves for approval the Department, Committee, Commission Reports and Grant Confirmation Approval agenda items 10A, 10B, 10C, 10D, 10E, 10F, and 10G. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is

unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**11. Payment of all City bills when properly approved.  
(Approved)**

Councilman Thomas J. Serra reads and moves for approval 11. Payment of all City bills when properly approved. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**12. Resolutions, Ordinances, etc.**

**A. Approving the lease between the City of Middletown and Kleen Energy for the Water Collection facility off River road.  
(Approved)**

**Resolution No.130-16**

**File Name        wskleenenergyleaseresolution  
                      Wskleenenergyleaseagreement**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Addendum to Agreement and Lease between the City of Middletown and Kleen Energy Systems, LLC as presented in the Addendum to Agreement and Lease attached to this resolution for the Water Collection Facility at River Road is approved and Mayor Daniel T. Drew is authorized to sign said Addendum to Agreement and Lease.

Fiscal Impact: Kleen Energy Systems, LLC will maintain and operate the River Road facility; in exchange the City will receive \$275,000 payable November 1 with an increase of 2.5% per year thereafter; the Water Department will receive a sum of \$25,000 on November 1 with an increase of 2.5% per year thereafter.

**ADDENDUM TO AGREEMENT AND LEASE**

This **ADDENDUM AND LEASE**, effective as of \_\_\_\_\_, 2016 (the "Effective Date") hereby modifies the **AGREEMENT** entered into on May 12, 2008 by and between the **CITY OF MIDDLETOWN** (hereinafter referred to as the "CITY") and **KLEEN ENERGY SYSTEMS, LLC** (hereinafter referred to as "KLEEN ENERGY") (individually, a "Party", collectively, the "Parties"). All capitalized terms in this **ADDENDUM**, to the extent not defined in this **ADDENDUM** shall have the meaning set forth in the **AGREEMENT**.

**WITNESSETH:**

**WHEREAS**, the Parties entered into the **AGREEMENT** on May 12, 2008; and

**WHEREAS**, since entering into the **AGREEMENT**, **KLEEN ENERGY** had been operating the wells and water pumps at its own expense, including the wells and pumps that constitute the City Owned Equipment under the **AGREEMENT**; and

**WHEREAS**, the **CITY** subsequently assumed the operation of the wells and water pumps and charged **KLEEN ENERGY** pursuant to the **AGREEMENT** for the provision of such water; and

**WHEREAS**, the **CITY** and **KLEEN ENERGY** have disputed the appropriate amount of payment **KLEEN ENERGY** owes to the **CITY** for the water provided by the **CITY** to **KLEEN ENERGY** under the **AGREEMENT**; and

**WHEREAS**, **KLEEN ENERGY** initiated dispute resolution proceedings against the **CITY**, pursuant to the **AGREEMENT**, related to this payment dispute; and

**WHEREAS**, both Parties wish to resolve this payment dispute, with neither Party making any admissions or concessions regarding such dispute; and



**WHEREAS**, the CITY agrees to allow KLEEN ENERGY to operate the Water Collection Facility that is the subject of the AGREEMENT; and

**WHEREAS**, the CITY also wishes to ensure that the City Owned Equipment will be properly operated and maintained both in the short term and the long term; and

**WHEREAS**, KLEEN ENERGY wishes to continue to be supplied all of its raw water supply requirements from the Water Collection Facility; and

**WHEREAS**, KLEEN ENERGY is willing to operate and maintain the Water Collection Facility at its expense for the entirety of the period that KLEEN ENERGY continues to generate electricity at its facility, or a shorter period of time as provided for in this ADDENDUM.

**NOW, THEREFORE**, in consideration of the foregoing and of the mutual promises contained herein, the parties do hereby agree as follows:

1. **AGREEMENT to Remain in Force.** Except for those conditions specifically addressed by this ADDENDUM AND LEASE, the AGREEMENT between the Parties remains in full force and effect. To the extent that the provisions of the AGREEMENT and this ADDENDUM AND LEASE are in conflict, the provisions of this ADDENDUM AND LEASE shall control.

2. **Term of the ADDENDUM AND LEASE.** Subject to the other terms and conditions contained herein, this ADDENDUM AND LEASE shall be effective as of the date signed and will remain in full force and effect for so long as KLEEN ENERGY or a successor of KLEEN ENERGY operates the Power Plant which requires a water supply for its operation, in accordance with the terms below.

The initial term of this ADDENDUM AND LEASE shall be for a period of twenty (20) years, and KLEEN ENERGY will have the option, in its sole discretion, to renew the

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ADDENDUM AND LEASE for additional five (5) year periods, for so long as KLEEN ENERGY or a successor of KLEEN ENERGY operates the Power Plant which requires a water supply for its operation. There shall be no limit on the number of additional five (5) year periods of extension of this ADDENDUM AND LEASE, so long as KLEEN ENERGY or a successor of KLEEN ENERGY operates the Power Plant which requires a water supply for its operation.

Notwithstanding the foregoing, this ADDENDUM AND LEASE shall be terminated upon the termination of the AGREEMENT. If the termination of the AGREEMENT results in the termination of the ADDENDUM AND LEASE, then, upon request by the City, KLEEN ENERGY shall close all wells and pumps from the Water Collection Facility that are located on property owned by the CITY in accordance with applicable federal and state laws and regulations, including any requirements of the State Department of Energy and Environmental Protection, or its successor agency, and shall remove any personal property and mechanical equipment of KLEEN ENERGY from the Water Collection Facility that is contained on property owned by the CITY at its own cost and expense. In no event shall KLEEN ENERGY be required by this ADDENDUM AND LEASE to remove any of its property from lands owned by KLEEN ENERGY, including those lands owned by KLEEN ENERGY that are part of the Water Collection Facility, in contravention of the AGREEMENT.

In addition, if KLEEN ENERGY or a successor of KLEEN ENERGY elects not to extend the term of the ADDENDUM AND LEASE in accordance with the paragraph above, and KLEEN ENERGY provides the CITY one (1) years' notice of its decision to not extend the term of the ADDENDUM AND LEASE, the ADDENDUM AND LEASE shall be terminated at the expiration of the last applicable term and the AGREEMENT will remain in effect and the provisions of the AGREEMENT shall control.

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3. **Effect of Termination of the ADDENDUM AND LEASE.** In the event that the ADDENDUM AND LEASE expires after its initial term and any renewal periods, but KLEEN ENERGY or its successor continues to operate the Power Plant, then the AGREEMENT shall continue to be in full force and effect between the Parties and its terms and conditions shall fully apply to both Parties. In the event that it is anticipated that the ADDENDUM AND LEASE, but not the AGREEMENT, will be terminated, the Parties recognize that the City will resume operation of the Water Collection Facility pursuant to the AGREEMENT.

In order to allow that to occur, prior to the termination of this ADDENDUM AND LEASE, the Parties agree that the CITY will be permitted to hire an independent inspector, at KLEEN ENERGY'S expense, to audit the Water Collection Facility and itemize any work that is anticipated to be needed during the CITY's first five (5) years of operation of the Water Collection Facility. Upon completion of that inspection, the inspection shall determine what costs will be required to be paid by the CITY to operate the Water Collection Facility. The CITY shall then fashion a rate, pursuant to the AGREEMENT, that amortizes the costs of any such projected expenditures and include such amortization as part of the rate charged by the CITY to KLEEN ENERGY under the AGREEMENT. The CITY shall inform KLEEN ENERGY of its anticipated expenses and the rate that the CITY will charge KLEEN ENERGY under the AGREEMENT no later than six (6) months prior to the anticipated expiration of this ADDENDUM AND LEASE. KLEEN ENERGY shall then have, at its sole option, the right to terminate this ADDENDUM AND LEASE (so long as the requirements of Section 2 have been met), or may opt to extend this ADDENDUM AND LEASE, pursuant to the requirements of Section 2, for an additional five (5) years. The CITY will also have the option to require an

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annual inspection by an independent inspector, at KLEEN ENERGY'S expense, to audit the Water Collection Facility during the life of the lease and any renewals.

4. **Obligations of the CITY.** In exchange for the consideration given by KLEEN ENERGY in accordance with Paragraph 5 of the ADDENDUM AND LEASE below, the CITY shall lease to KLEEN ENERGY all of the City Owned Equipment and shall allow KLEEN ENERGY to use and operate the entire Water Collection Facility to provide KLEEN ENERGY with water for the Power Plant. In addition, the CITY agrees that it shall not exercise its rights to charge KLEEN ENERGY for the cost of service of the water consumed by KLEEN ENERGY, as described in Paragraph 6 of the AGREEMENT.

5. **Obligations of KLEEN ENERGY.** In exchange for the CITY leasing the City Owned equipment to KLEEN ENERGY and allowing KLEEN ENERGY to use and operate the Water Collection Facility, for every year this ADDENDUM AND LEASE is in effect, KLEEN ENERGY shall pay the CITY an annual lease payment by the first day of November of each year the ADDENDUM AND LEASE is in effect. The annual lease payment to the CITY for the 2016 year shall be payable on November 1, 2016, or within thirty (30) days of the execution of this ADDENDUM AND LEASE, whichever is later. The annual lease payment to the CITY shall be \$275,000.00 (two hundred and seventy-five thousand dollars) for the first year of the ADDENDUM AND LEASE, and shall increase by an amount of 2.5% (two and one half percent) per year that the ADDENDUM AND LEASE is in effect. The schedule of lease payments will be as set forth in the attached APPENDIX A.

In addition, KLEEN ENERGY shall pay the CITY's Water Department an annual payment by the first day of November of each year the ADDENDUM AND LEASE is in effect. The annual payment to the CITY's Water Department shall be \$25,000.00 (twenty-five thousand

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dollars) for the first year of the ADDENDUM AND LEASE, and shall increase by an amount of 2.5% (two and one half percent) per year that the ADDENDUM AND LEASE is in effect.

In addition, KLEEN ENERGY shall be solely responsible for the use, operation, control, risk, and liability of the Water Collection Facility, and shall maintain the Water Collection Facility in accordance with reasonably prudent engineering practices for a water supply facility for an electric generation facility. KLEEN ENERGY will be solely responsible for any and all permitting fees for the Water Collection Facility.

In addition, should the CITY so desire, the CITY may request that KLEEN ENERGY provide the CITY with water for municipal purposes, the amount of such water, however, shall not impact the amounts of water to be used by KLEEN ENERGY as specified in the diversion permits for the Water Collection Facility or pursuant to the AGREEMENT. KLEEN ENERGY shall charge the City for the provision of such water at the rate of \$2.32 (two dollars and thirty-two cents) per thousand cubic feet of water, subject to an annual increase by an amount of 2.5% (two and one half percent) per year that the ADDENDUM AND LEASE is in effect.

**6. CITY's Right of Entry and KLEEN ENERGY'S Right of Access.** Upon reasonable notice, the CITY, or its designee, shall have the right to enter the Water Collection Facility for the purpose of inspecting and/or testing the Water Collection Facility and its ability to provide raw water as provided for in the AGREEMENT. The CITY, or its designee, shall also have the right to be present for significant testing and/or any Capital Projects undertaken for the betterment or maintenance of the Water Collection Facility. For purposes of this ADDENDUM AND LEASE, the term "Capital Projects" shall be defined as any maintenance project for the Water Collection Facility or betterment to the Water Collection Facility that has a cost in excess of \$100,000 (one hundred thousand dollars).

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KLEEN ENERGY will have a right of access to the Water Collection Facility, but the access will be limited to the existing paved roads along River Road, or such roads as may be constructed in the future. The CITY shall be responsible to construct any new roads that are required and KLEEN ENERGY shall be responsible for maintaining such new and existing roads required to ensure access to the Water Collection Facility for KLEEN ENERGY. Such new and existing roads will ensure that KLEEN ENERGY will not be required to traverse or disturb adjoining properties in order to access all parts of the Water Collection Facility.

**7. Resolution of Payment Dispute.** The Parties acknowledge that there is currently a dispute relating to the appropriate rate KLEEN ENERGY is to be charged for the water provided to it under the AGREEMENT. By executing this ADDENDUM AND LEASE, the Parties agree that KLEEN ENERGY will withdraw its request for arbitration filed against the CITY, and the CITY will forego any amounts the CITY claims KLEEN ENERGY owes it under the AGREEMENT for the CITY's provision of water to KLEEN ENERGY up to the date that this agreement is signed.

**8. Indemnification.** Except for the costs, fees, expenses, and limitation of liabilities set forth in Section 11 below, the CITY hereby agrees to indemnify and hold harmless KLEEN ENERGY against all costs, fees, expenses, damages and loss (other than obligations of KLEEN ENERGY under this ADDENDUM AND LEASE) arising out of the maintenance and operation of the Water Collection Facility; provided, however, that the CITY shall not be obligated to so indemnify KLEEN ENERGY for any costs, fees, expenses, damages or losses resulting from the actions of KLEEN ENERGY, its agents or employees including costs, fees, expenses, damages or losses relating to the Water Collection Facility. Except for the costs, fees, expenses, and limitation of liabilities set forth in Section 11 below, KLEEN ENERGY hereby agrees to

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indemnify and hold harmless the CITY against all costs, fees, expenses, damages and loss arising out of the maintenance and operation of the Water Collection Facility; provided, however, that KLEEN ENERGY shall not be obligated to so indemnify the CITY for any costs, fees, expenses, damages or losses resulting from the actions of the CITY, its agents or employees including costs, fees, expenses, damages or losses relating to the Water Collection Facility. Notwithstanding anything contained herein to the contrary, neither Party shall be liable to the other under any theory for consequential or punitive damages or lost profits of any kind.

9. **Assignment.** All the terms, conditions, and the provisions of this ADDENDUM AND LEASE shall inure to the benefit of, and be binding upon the successors and assigns of, the CITY and KLEEN ENERGY.

10. **Default.** With the exception of a default relating to Capital Projects as described in Paragraph 8, a Party shall have thirty (30) days from receipt of written notice from the other Party to cure a default, provided that such time period shall be extended for so long as the defaulting Party has commenced and continued to pursue with diligence a remedy for such event of default. Each of the following shall be deemed to be an event of default hereunder:

- a. Failure to observe, perform, or comply with any obligation, condition, or covenant to be observed, performed, or complied with by any Party hereunder.
- b. Default in the payment of any sum due hereunder and the continuance of such default for five (5) days after receipt by the defaulting Party of notice of such default, sent by certified mail, by the non-defaulting Party.
- c. The filing by or against any Party hereunder of a petition, arrangement, reorganization, or the like under any insolvency or bankruptcy law, which filing against such Party is (i) not contested within the appropriate time period; and (ii) not dismissed within one

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hundred (100) days after the expiration of the appropriate time period for contesting such filing, or the adjudication of any Party hereunder as bankrupt, or the making of an assignment for the benefit of creditors, or the appointment of a receiver for any part of its assets, or if the entity which then owns the assets of any Party hereunder dissolves or liquidates, or is dissolved or liquidated, or shall legally cease to exist.

11. **Costs, Fees, and Expenses of Enforcement; Limitation of Liability.** The CITY and KLEEN ENERGY each agree to pay their own costs, fees, attorney's fees, expenses or other charges incurred in protecting, sustaining or enforcing any term, provision or condition of this ADDENDUM AND LEASE, which includes all such expenses and other charges incurred in resolving the arbitration arising from the AGREEMENT which gave rise to this ADDENDUM AND LEASE. Neither Party shall be liable to the other Party in contract, tort, warranty, strict liability or any other legal theory for any indirect, consequential, incidental, punitive or exemplary damages, including such damages arising in respect of consequential financial or economic loss.

12. **Further Assurances.** Upon request, both Parties agree to perform all other acts and execute and deliver all other documents necessary or advantageous to facilitate and to carry out the intent and purposes of the ADDENDUM AND LEASE.

13. **Modification.** No modification of this ADDENDUM AND LEASE shall be effective unless in writing and signed by both Parties hereto.

14. **Separability.** If any term, covenant or condition of this ADDENDUM AND LEASE shall be held to be illegal or unenforceable, this Agreement shall be construed without such term, covenant or condition.

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15. **Notice.** Any notice or demand required, permitted or desired to be given pursuant to any of the provisions of this ADDENDUM AND LEASE shall be given in accordance with the terms of the AGREEMENT.

16. **Governing Law.** This ADDENDUM AND LEASE will be governed in accordance with the laws of the State of Connecticut without giving effect to any conflict of laws provisions. Any disputes related to this ADDENDUM AND LEASE shall first be attempted to be resolved by a meeting of designated representatives of the Parties. Should such disputes not be susceptible to resolution by such means, a Party may resolve such dispute by bringing an action in any applicable state or federal court located within the State of Connecticut that possesses jurisdiction over the Water Collection Facility.

17. **No Waiver.** No delay or omission on the part of a Party in exercising any right hereunder shall operate as a waiver thereof. No waiver by a Party of any right hereunder with respect to any matter or default arising in connection with this ADDENDUM AND LEASE shall be considered a waiver with respect to any subsequent matter or default.

18. **Survival.** All indemnity rights and payment obligations shall survive the termination of this ADDENDUM AND LEASE. All obligations provided in this ADDENDUM AND LEASE shall remain in effect for the purpose of complying herewith.

19. **Drafting.** The Parties acknowledge that each has actively participated in the negotiation and drafting of this ADDENDUM AND LEASE and that any ambiguity in the terms and conditions hereof shall not be construed against one Party or the other on the basis of the drafting or control of this ADDENDUM.

20. **Approvals.** By signing this ADDENDUM AND LEASE, the CITY is representing that its signatory has all required authorizations and approvals from the CITY's

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legislative body and any necessary boards and commissions to execute this ADDENDUM AND LEASE.

By signing this ADDENDUM AND LEASE, KLEEN ENERGY is representing that its signatory has all required authorizations and approvals from KLEEN ENERGY'S board and any other required approvals to execute this ADDENDUM AND LEASE.

**IN WITNESS WHEREOF**, the Parties hereto have hereunto set their hands and seals as of the \_\_\_\_ day of \_\_\_\_\_, 2016.

THE CITY OF MIDDLETOWN

By: \_\_\_\_\_  
Its:  
Duly Authorized

KLEEN ENERGY SYSTEMS, LLC

By: \_\_\_\_\_  
Its:  
Duly Authorized

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Councilman Eugene P. Nocera reads and moves for approval the lease between the City of Middletown and Kleen Energy for the Water Collection facility off River Road.. Councilman

Philip J. Pessina seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- B. Approving authorizing the Mayor to sign the documents necessary to convey a portion of Mile Lane (10-0147) and a portion of 182 Tuttle Road to DATTCO, Inc. for the sum of \$336,000 subject to a title search from the General Counsel Office and any and all required easements.**

(Approved)

**Resolution No. 131-16**

**File Name** pcd182TuttleRdDattco\_Correction\_Nov2016

**WHEREAS**, at the City of Middletown published a Request for Proposals for the Sale of City Property, **Mile Lane (10-0147) and 182 Tuttle Road**, of approximately 4.2 acres of land.

**WHEREAS**, DATTCO, Inc. submitted an offer to purchase the property for the sum of \$336,000.

**WHEREAS**, DATTCO, Inc. which owns the adjacent property at 131 Tuttle Road is at full capacity and needs to expand or relocate. The company proposes an expansion and renovation of their facility and creating a Commercial Driver's License (CDL) training area. The company employs 140 people in Middletown and the expansion will create 15-20 new jobs.

**WHEREAS**, at the September 10, 2012 meeting of the Economic Development Committee, the Committee membership voted unanimously to approve a motion to accept the offer to purchase 182 Tuttle Road from DATTCO, Inc. and recommend the motion for the Common Council's consideration.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the Mayor is authorized to sign all documents necessary to convey **a portion of Mile Lane (10-0147) and a portion of** 182 Tuttle Road to DATTCO, Inc. for the sum of \$336,000 subject to a title search from the General Counsel's office and any and all required easements.

**Fiscal Impact:** The sale of 4.2 acres of land will add \$336,000 to the General Fund and return the property to the Grand List. The company will increase the value of the facility; create jobs and a training center.

Councilman Gerald E. Daley reads and moves for approval authorizing the Mayor to sign the documents necessary to convey a portion of Mile Lane (10-0147) and a portion of 182 Tuttle Road to DATTCO, Inc. for the sum of \$336,000 subject to a title search from the General Counsel Office and any and all required easements. Councilman Robert P. Santangelo seconds the motion.

Councilman Serra on 12A and B realized the City over 1/2 million of dollars and kudos to the directors

The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- C. Approving authorizing Mayor Drew to apply to the State of Connecticut for a LoCIP grant in the amount of \$55,000 for the removal and replacement of an Evapco Cooling Tower for the Municipal Building and approving the creation of a new Capital Improvement line item 3560-22000-57030 entitled Municipal Building Cooling Tower in the amount of \$55,000.**

(Approved)

**Resolution No. 132-16**

**File Name** pwlocipmunicipalbuildingcoolingtower

**Be It Resolved by the Common Council of the City of Middletown:**

That Mayor Daniel T. Drew be authorized to apply to the State of Connecticut for a LoCIP grant in the amount of \$55,000 for the removal and replacement of an Evapco Cooling Tower for the Municipal Building; and

**BE IT FURTHER RESOLVED:** That a new Capital Improvement line item, 3560-22000-57030-0000-xxxx-xxxx-000, entitled Municipal Building Cooling Tower in the amount of \$55,000 be added.

**Fiscal Impact:** The expenditure will be paid with LoCIP funds and will not require an appropriation from the General Fund.

Councilman Carl R. Chisem reads and moves for approval authorizing Mayor Drew to apply to the State of Connecticut for a LoCIP grant in the amount of \$55,000 for the removal and replacement of an Evapco Cooling Tower for the Municipal Building and approving the creation of a new Capital Improvement line item 3560-22000-57030 entitled Municipal Building Cooling Tower in the amount of \$55,000.. Councilman Grady L. Faulkner, Jr.

seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- D. Approving the tentative collective bargaining agreement between the City of Middletown and Local Union #1073 - International Association of Firefighters, AFL-CIO with term July 1, 2016 through June 30, 2019 be approved as negotiated.**  
(Approved)

**Resolution No. 133-16**

**File Name** cclocal1073negotiatedcontract2016-19  
**Fire tentative agreement (2016)**  
**(K:/Review/2016NovemberMeetingMaterials)**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the tentative collective bargaining agreement between the City of Middletown and Local Union #1073 – International Association of Firefighters, AFL-CIO with term July 1, 2016 through June 30, 2019 be approved as negotiated.

Councilman Robert P. Santangelo reads and moves for approval the tentative collective bargaining agreement between the City of Middletown and Local Union #1073 - International Association of Firefighters, AFL-CIO with term July 1, 2016 through June 30, 2019 be approved as negotiated. Councilman Philip J. Pessina seconds the motion.

Councilwoman Salafia states she is on board with this. Councilman Serra states in the director's portion of the meeting, the various things were negotiated in the positive sense and there should be savings for the city of Middletown and hopes it comes to fruition. Fortunately, the city was remiss giving CPA and kudos for the reopener on the cadillac tax. We will be saving some monies during each of the years of the contract. If the savings happen it is a couple tenths of a mill and if there are no savings it will be 1/2 million. It is a fair negotiated contract. The city is being fair to the employees relative to the percentage we are giving. Councilwoman Bartolotta states the Fire Chief said that the savings would be represented in the budget and the numbers will hold true. I appreciate the opener that was placed in here. Councilman Faulkner states he will support this; he appreciates this as well. We always find out we have things in the contract that made sense at one time and leave them hidden in there. His initial concern was insurance issues and that was resolved. I am concerned that we involve risk management on these decisions because we don't know the impact on the premiums. The gaps in experience we have, this is the best technique to smooth things over and maintain the knowledge in the department. This is what we have and we have to monitor the level of experience moving forward.

Councilman Pessina thanks Kori and we need to recognize the negotiating team from the Fire department that made the contract happen among their members. We understand what they went through over the past few years. They will be enhancing the department even though they have removed some of the teams. Thank you for the firefighters here; you did a good job at the table. Councilman Nocera echoes the comments made in the Department Heads meeting. They negotiated a fair contract and he thanks both sides. Mayor Drew thanks the Fire Chief, Joe, Tina and Kori and thanks the fire fighters for negotiating a fair contract. A few years ago we were in tough times and they took CPI and had low raises for almost four years. Thank you.

The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- E. Approving the Common Council's Community Meeting dates for 2017 as January 12, April 13, July 13, and October 12, 2017.**  
(Approved)

**Resolution No. 134-16**

**File Name** cccommunitydates 2017

**Whereas**, the Common Council holds meetings to allow for public comment regarding Middletown; and

**Whereas**, the 2017 meeting dates will be held quarterly.

**Now, therefore, be it resolved by the Common Council of the City of Middletown:** That Community Public meetings will be held on the second Thursday of January, April, July, and October; and

**Be it further resolved:** That said dates are January 12, 2017, April 13, 2017, July 13, 2017, and October 12, 2017; and

Fiscal Impact: None

Councilman Robert Blanchard reads and moves for approval the Common Council's Community Meeting dates for 2017 as January 12, April 13, July 13, and October 12, 2017. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is

unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- F.     **Approving a loan from the General Fund to the Board of Education Grant Account for the Adult Education Board of Regents Program in the amount of \$2,000 for 2016-2017 to be repaid upon receipt of State grant funds.**  
(Approved)

**Resolution No. 135-16**  
**File Name       boeloantoadedregentsgrant2016**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That a loan from the general fund to the Board of Education Department Grant Account for the Adult Education Board of Regents Program in the amount of \$2,000 for the 2016-2017 fiscal year is approved with said loan to be repaid upon receipt of State grant funds from the State Board.

Councilman Grady L. Faulkner, Jr. reads and moves for approval a loan from the General Fund to the Board of Education Grant Account for the Adult Education Board of Regents Program in the amount of \$2,000 for 2016-2017 to be repaid upon receipt of State grant funds. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

- G.     **Approving the creation of new line items in the Water Department CNR for fiscal year 2016 - 2017 as listed in the resolution amounting to \$500,000; and approving the transfers from various CNR line items into the new line items as listed in the resolution.**  
(Approved)

**Resolution No. 136-16**  
**File Name       Wswater CNR 1617res 10 11 16**  
**wsCNR FY 16 17 Water Dept Support Doc10 2016 (Spreadsheet)**

**BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF MIDDLETOWN THAT:** The following transfers and line item creations as so attached be authorized for the Water Department Fiscal Year 16/17 Capital Non-Recurring Fund.

Financial Impact: As per budgetary plan. No fiscal impact.

**Proposed Water  
FY 16/17 CNR  
Account Transfers**

|  |  |                                      |
|--|--|--------------------------------------|
| <b>TRANSFER FROM:</b>                                |  |                                      |
| <b>Account Number</b>                                | <b>Account Description</b>                   | <b>Approximate Amount*</b>           |
| 5010-60000-79571-0000-00000-2016-000                 | Hydrants - Rep/Repl/Improve                  | Remaining Balance                    |
| <b>TRANSFER TO: New account established for 2017</b> |  |                                      |
| <b>Account Description</b>                           |  |                                      |
| 5010-60000-79571-0000-00000-2017-000                 | Hydrants - Rep/Repl/Improve                  | <b>Remaining Balance + \$45,000</b>  |
| <b>TRANSFER FROM:</b>                                |  |                                      |
| <b>Account Number</b>                                | <b>Account Description</b>                   | <b>Approximate Amount*</b>           |
| 5010-60000-79501-0000-00000-2015-000                 | Well Redevelopment                           | Remaining Balance                    |
| 5010-60000-79501-0000-00000-2016-000                 | Well Redevelopment                           | Remaining Balance                    |
| <b>TRANSFER TO: New account established for 2016</b> |  |                                      |
| <b>Account Description</b>                           |  |                                      |
| 5010-60000-79501-0000-00000-2017-000                 | Well Redevelopment                           | <b>Remaining Balance + \$100,000</b> |
| <b>TRANSFER FROM:</b>                                |  |                                      |
| <b>Account Number</b>                                | <b>Account Description</b>                   | <b>Approximate Amount*</b>           |
| 5010-60000-79574-0000-00000-2014-000                 | Water Distribution System - Rep/Repl/Improve | Remaining Balance                    |
| 5010-60000-79604-0000-00000-2015-000                 | Water Distribution System - Rep/Repl/Improve | Remaining Balance                    |
| 5010-60000-79574-0000-00000-2016-000                 | Water Distribution System - Rep/Repl/Improve | Remaining Balance                    |
| 5010-60000-79705-0000-00000-2016-000                 | Rte 66 Washington St Paving                  | Remaining Balance                    |
| <b>TRANSFER TO: New account established for 2016</b> |  |                                      |
| <b>Account Description</b>                           |  |                                      |

|                                      |  |                                  |
|--------------------------------------|--|----------------------------------|
| 5010-60000-79574-0000-00000-2017-000 | Water Distribution System - Rep/Repl/Improve | Remaining Balance +<br>\$133,228 |
|--------------------------------------|--|----------------------------------|

TRANSFER FROM:

| Account Number                       | Account Description                             | Approximate Amount* |
|--------------------------------------|---|---------------------|
| 5010-60000-79567-0000-00000-2014-000 | Water Treatment/Pump Station - Rep/Repl/Improve | Remaining Balance   |
| 5010-60000-79567-0000-00000-2015-000 | Water Treatment/Pump Station - Rep/Repl/Improve | Remaining Balance   |
| 5010-60000-79567-0000-00000-2016-000 | Water Treatment/Pump Station - Rep/Repl/Improve | Remaining Balance   |

TRANSFER TO: New account established for 2017

| Account Description                  |
|--------------------------------------|
| 5010-60000-79567-0000-00000-2017-000 |
| Remaining Balance +<br>\$144,000     |

TRANSFER FROM:

|                                      |                    |                   |
|--------------------------------------|--------------------|-------------------|
| 5010-60000-79712-0000-00000-2016-000 | Dam Rehabilitation | Remaining Balance |
|--------------------------------------|--------------------|-------------------|

TRANSFER TO: New account established for 2017

|                                      |                    |                                 |
|--------------------------------------|--------------------|---------------------------------|
| 5010-60000-79712-0000-00000-2016-000 | Dam Rehabilitation | Remaining Balance +<br>\$10,000 |
|--------------------------------------|--------------------|---------------------------------|

TRANSFER FROM:

|                                      |                    |                   |
|--------------------------------------|--------------------|-------------------|
| 5010-60000-79798-0000-00000-2013-000 | Adjustment to Grid | Remaining Balance |
| 5010-60000-79798-0000-00000-2016-000 | Adjustment to Grid | Remaining Balance |

TRANSFER TO: New account established for 2017

|                                      |                     |                                 |
|--------------------------------------|---------------------|---------------------------------|
| 5010-60000-79798-0000-00000-2017-000 | Adjustments to Grid | Remaining Balance +<br>\$31,272 |
|--------------------------------------|---------------------|---------------------------------|

TRANSFER FROM:

|                                      |                  |                   |
|--------------------------------------|------------------|-------------------|
| 5010-60000-79500-0000-00000-2016-000 | Office Equipment | Remaining Balance |
|--------------------------------------|------------------|-------------------|

TRANSFER TO: New account established for 2017

| Account Description                   |
|---------------------------------------|
| 5010-60000-79500- 0000-00000-2017-000 |
| Remaining Balance +<br>\$3,000        |

TRANSFER FROM:

|                                      |               |                   |
|--------------------------------------|---------------|-------------------|
| 5010-60000-79505-0000-00000-2015-000 | Lab Equipment | Remaining Balance |
| 5010-60000-79505-0000-00000-2016-000 | Lab Equipment | Remaining Balance |

TRANSFER TO:New account established for 2017

| Account Description                  |
|--------------------------------------|
| 5010-60000-79505-0000-00000-2016-000 |
| Remaining Balance +<br>\$3,500       |

TRANSFER FROM:

|                                      |                           |                   |
|--------------------------------------|---------------------------|-------------------|
| 5010-60000-79502-0000-00000-2011-000 | DOT/DPW Maintenance Equip | Remaining Balance |
| 5010-60000-79502-0000-00000-2015-000 | DOT/DPW Maintenance Equip | Remaining Balance |
| 5010-60000-79502-0000-00000-2016-000 | DOT/DPW Maintenance Equip | Remaining Balance |

TRANSFER TO: New account established for 2017

| Account Description                  |
|--------------------------------------|
| 5010-60000-79502-0000-00000-2017-000 |
| Remaining Balance +<br>\$5,000       |

TRANSFER FROM:

|                                      |                   |                   |
|--------------------------------------|-------------------|-------------------|
| 5010-60000-79573-0000-00000-2012-000 | Build Maintenance | Remaining Balance |
| 5010-60000-79499-0000-00000-2015-000 | Build Maintenance | Remaining Balance |
| 5010-60000-79499-0000-00000-2016-000 | Build Maintenance | Remaining Balance |

TRANSFER TO: New account established for 2017

| Account Description                  |
|--------------------------------------|
| 5010-60000-79499-0000-00000-2016-000 |
| Remaining Balance +<br>\$25,000      |

Councilman Eugene P. Nocera reads and moves for approval the creation of new line items in the Water Department CNR for fiscal year 2016 - 2017 as listed in the resolution



amounting to \$500,000; and approving the transfers from various CNR line items into the new line items as listed in the resolution. Councilman Philip J. Pessina seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

H.      **Approving the Arts and Culture allocation of the Art support Services grant for fiscal year 2016-2017 in the amount of \$11,250 as listed in the resolution.**  
**(Approved)**

**Resolution No.137-16**  
**File Name      artsupportservicesresolution sept16**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Arts & Culture Office requests that \$11,250 of the Art Support Services Grant (FY 16/17) be allocated as follows:

| Organization                               | Amount                 |
|--|------------------------|
| Connecticut Storytelling Center, Inc.      | \$1,500                |
| Greasy Films                               | \$2,500                |
| New Haven Symphony Orchestra, Inc.         | \$750                  |
| Greater Middletown Chorale                 | \$1,000                |
| Salt Marsh Opera Company                   | \$2,000                |
| Middletown Public Schools Cultural Council | \$2,000                |
| Russell Library                            | \$1,500                |
| <b>TOTAL</b>                               | <b><u>\$11,250</u></b> |

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That any agency receiving an Arts & Culture Office grant award must comply with the new matching fund ordinance.

Fiscal Impact:      There is no new fiscal impact; the \$11,250 is budgeted for FY16/17.

Councilman Robert P. Santangelo reads and moves for approval the Arts and Culture allocation of the Art support Services grant for fiscal year 2016-2017 in the amount of \$11,250 as listed in the resolution. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

I.      **Approving the City CNR plan for fiscal year 2016 - 2017 as presented in the resolution, with Police Department designated for \$10,000; Information Technology for \$300,000; Central Communications for \$50,000; Public Works for \$130,000; Recreation and Community Services for \$90,000; Other Departments for \$20,000, with a total of \$600,000 as budgeted.**  
**(Approved)**

**Resolution No. 138-16**  
**File Name      Fi 16-17CNRfor CityDepartments**

Whereas, the 2016-17 City of Middletown budget included \$600,000 for funding of CNR items; and

Whereas, departments have submitted requests, and they have been prioritized based on available funding.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the 2016-17 CNR Plan be approved as follows:

| Police Dept.   |                     | Information Technology |                      |
|----------------|---------------------|------------------------|----------------------|
| Description    | Amount              | Description            | Amount               |
| Floor Scrubber | \$ 7,500.00         | Hardware               | \$ 150,000.00        |
| Furniture      | \$ 2,500.00         | Software               | \$ 150,000.00        |
|                |                     |                        |                      |
|                | <b>\$ 10,000.00</b> |                        | <b>\$ 300,000.00</b> |

| Communications             |                     | Public Works    |                      |
|----------------------------|---------------------|-----------------|----------------------|
| Description                | Amount              | Description     | Amount               |
| Replacement of Chairs      | \$ 10,000.00        | Bucket Truck    | \$ 100,000.00        |
| Network Switch Replacement | \$ 40,000.00        | Printer/Scanner | \$ 30,000.00         |
|                            |                     |                 |                      |
| <b>Department Totals</b>   | <b>\$ 50,000.00</b> |                 | <b>\$ 130,000.00</b> |

| Recreation and Community Services |        | Other Depts. |        |
|-----------------------------------|--------|--------------|--------|
| Description                       | Amount | Description  | Amount |

| November 7, 2016                | COMMON COUNCIL MEETING |               | Page 24      |
|---------------------------------|------------------------|---------------|--------------|
| Senior Bus                      | \$ 80,000.00           | Harbor Master | \$ 10,000.00 |
| Building Equip/Humidity Control | \$ 10,000.00           | Misc.         | \$ 10,000.00 |
|                                 |                        |               |              |
|                                 | \$ 90,000.00           |               | \$ 20,000.00 |

**Fiscal Impact:** the 2016-17 budget includes \$600,000 for CNR purchases.

Councilman Thomas J. Serra reads and moves for approval the City CNR plan for fiscal year 2016 - 2017 as presented in the resolution, with Police Department designated for \$10,000; Information Technology for \$300,000; Central Communications for \$50,000; Public Works for \$130,000; Recreation and Community Services for \$90,000; Other Departments for \$20,000, with a total of \$600,000 as budgeted. Councilman Robert P. Santangelo seconds the motion.

Councilman Faulkner was the \$300,000 something specific; Councilman Serra states it is hardware and software. The Chair states there is a lot to be replaced.

The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**13. Mayor's Appointments  
(Approved)**

The chair reads the appointments and asks for a motion to approve.

**Clean Energy Task Force:**  
Appointment of Anna Salo-Markowski to replace Audrey Scotti to July 31, 2017.

**Inland/Wetland and Water Courses Agency:**  
Appointment of Ken McClellan to Oct. 31 2020.

**Mattabassett Building Committee:**  
Appointment of Elise McDermott to replace Tina Gomes.

**Middletown School Readiness Council:**  
Appointment of Monica Belyea as Co-Chair.  
Appointment of Edward Bonilla as Co-Chair.

Councilman Thomas J. Serra reads and moves for approval the Mayor's Appointments as read by the Mayor. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**14. Meeting adjourned.**

Councilman Robert Blanchard reads and moves for approval adjourning the meeting.. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

The Chair adjourns the meeting at 8:39 p.m.

ATTEST:

MARIE O. NORWOOD  
COMMON COUNCIL CLERK